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Pm
9/25/00

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

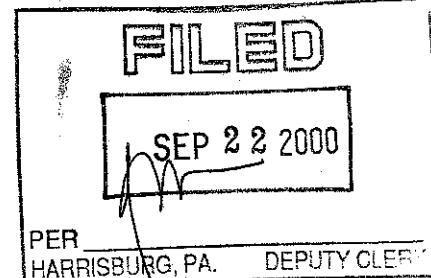
DALE ARNOLD,
Petitioner

Civil No. 1:00-CV-0775

v.

Magistrate Judge Smyser

FREDERICK FRANK,
BRADFORD COUNTY DISTRICT
ATTORNEY and ATTORNEY GENERAL
OF THE COMMONWEALTH OF
PENNSYLVANIA,
Respondents



**PETITIONER'S MOTION FOR CONTINUANCE OF BRIEFING
AND FOR ORDER DIRECTING FILING OF TRANSCRIPTS**

AND NOW comes the petitioner, Dale Arnold, by his attorney Daniel I. Siegel of the Federal Public Defender's Office, and files this Motion for Continuance of Briefing and for Order Directing Filing of Transcripts.

1. Pursuant to previous Court order, briefing in the above-captioned case was continued to September 22, 2000.
2. Undersigned counsel has reviewed all documents in the federal court file.
3. In addition to the documents in the federal court file, counsel needs to review the trial transcript and the transcript of the state court post-conviction hearing.

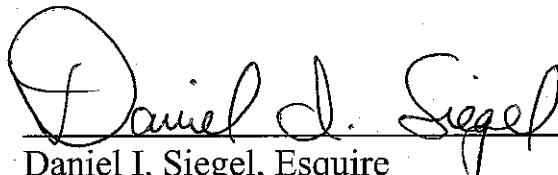
4. Helen Stolinas, a Bradford County Assistant Public Defender, has agreed to provide counsel with a copy of the post-conviction hearing transcript.
5. Todd Hinkley, Esquire, a Bradford County Assistant District Attorney, has informed counsel that the trial transcript is voluminous.
6. Assistant District Attorney Hinkley indicated that he would concur in the issuance of an order directing the Bradford County Clerk of Court to temporarily transfer custody of the trial transcripts to the Federal Clerk's Office in Harrisburg.

WHEREFORE, it is respectfully requested that briefing in the above-captioned case be continued to Monday, October 23, 2000, and that the Magistrate Judge issue an order directing the Clerk of Courts of Bradford County to file with the Federal Clerk's Office in Harrisburg copies of the trial transcripts in

Commonwealth v. Arnold, Bradford County Criminal Case No. 1026 of 1980.

Respectfully submitted,

Date: Sept. 22, 2000

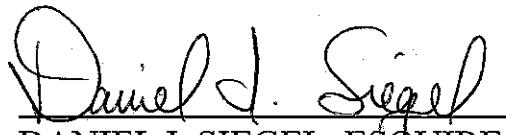


Daniel I. Siegel, Esquire
Asst. Federal Public Defender
100 Chestnut Street, Suite 306
Harrisburg, PA 17101
Attorney for Dale Arnold
Attorney ID # 38910

CERTIFICATE OF CONCURRENCE

I, Daniel I. Siegel, of the Federal Public Defender's Office certify that on August 17, 2000, I contacted Todd Hinkley, Assistant District Attorney for Bradford County, and he stated that he would concur in the foregoing motions.

Date: Sept. 22, 2000



DANIEL I. SIEGEL, ESQUIRE
Asst. Federal Public Defender

CERTIFICATE OF SERVICE

I, Daniel I. Siegel, of the Federal Public Defender's Office do hereby certify that on this date I served a copy of the **PETITIONER'S MOTION FOR EXTENSION OF TIME WITHIN WHICH TO FILE SUPPORTING BRIEF** by placing the same in the United States mail, first class in Harrisburg, Pennsylvania, addressed to the following:

Todd Hinkley, Esquire
Assistant District Attorney
Bradford County Courthouse
301 Main Street
Towanda, PA 18848

Dale Arnold
Inmate #AK 5044
SCI Huntingdon
1100 Pike Street
Huntingdon, PA 16654-1112

Date: Sept. 22, 2000



DANIEL I. SIEGEL, ESQUIRE
Asst. Federal Public Defender
Attorney for Dale Arnold